

Message Text

UNCLASSIFIED

PAGE 01 LAGOS 14288 231813Z POSS DUPE
ACTION AF-08

INFO OCT-01 ISO-00 EB-07 L-03 /019 W
-----240413Z 109612 /71

R 231409Z DEC 76
FM AMEMBASSY LAGOS
TO USDOC WASHDC
INFO SECSTATE WASHDC 8381
AMCONSUL IBADAN
AMCONSUL KADUNA

UNCLAS LAGOS 14288

E.O. 11652: N/A
TAGS/ BDIS, ECRE, NI
SUBJ: DEFAULTING US BUILDERS STILL ON FESTIVAL JOB

1. EMBASSY HAS HEARD UNOFFICIALLY THAT AT LEAST TWO AMERICAN HOUSING CONTRACTORS WHO HAVE BEEN SUBJECT OF SIZEABLE AND EXTENDED BUSINESS DISPUTES APPARENTLY HAVE RESUMED WORK ON BLACK ARTS FESTIVAL HOUSING DESPITE OFFICIAL RECOMMENDATION REPORTED REFTEL THAT CONTRACTS BE TERMINATED.

2. THEY ARE ARK URBAN, NOW AT 386 HERBERT MACAULAY STREET, P.O. BOX 6268, LAGOS ULYSSES JIM MONTGOMERY) AND WARNER AND WARNER, STILL AT 104 LWEIS STREET, LAGOS. DR. ED BRICE AND BEEN AMERICAN PRINCIPAL LATTER FIRM BUT HIS CURRENT STATUS UNKNOWN.

3. INFORMATION THEY STILL IN BUSINESS CAME FROM THEIR TRADE COLLEAGUES AND HAS NOT RPT NOT BEEN CONFIRMED BY OFFICIALS WHO ARE IN MIDST OF FRANTIC LAST-MINUTE PREPARATIONS FOR FESTIVAL OPENING JANUARY 12.

4. IF THESE FIRMS ARE WORKING AND BEING PAID, THERE MAY BE CHANCE OF AT LEAST PARTIAL PAYMENT FOR CREDITORS EVENTUALLY. CREDITORS SHOULD BE ADVISED TO RENEW CLAIMS
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 LAGOS 14288 231813Z POSS DUPE

WITH FIRMS AND USDOC SHOULD ADVISE EMBASSY CURRENT STATUS OF CLAIMS. THERE IS LITTLE HOPE OF ACCOMPLISHING ANYTHING BEFORE FESTIVAL CLOSES FEBRUARY 12 BUT EMBASSY WILL ATTEMPT MAKE NEW APPROACHES TO FIRMS ON BEHALF CREDITORS IN EARLY 1977.

5. WE HAVE JUST RECEIVED LETTER DATED DECEMBER 6 FROM NEAL B. MITCHELL,

MITCHELL HOUSING, LEXINGTON, MASS., (PHONE 617-862-5104) CONTAINING
COPIES OF FOLLOWING DOCUMENTS. (MITCHELL HAS HAD EXTENDED DISPUTE WITH

ARK URBAN FOR OVER 18 MONTHS.)

A) MOTION IN US DISTRICT COURT, BOSTON, BY MITCHELL ATTORNEY
M. ROBERT DUSHMAN, PHONE 617-726-7800, ASKING APPOINTMENT OF EMBOFF
HARVEY CLEW AS SPECIAL PROCESS SERVER. NOTHING TO INDICATE
MOTION GRANTED OR APPROVED.

B) SAME COURT'S ORDER (UNDATED) TO ARK URBAN'S MONTGOMERY
TO SHOW CAUSE WHY HE SHOULD NOT BE HELD IN CONTEMPT OF COURT'S
PRELIMINARY INJUNCTION OF JANUARY 23, 1976 AND STATING THAT
A COURT HEARING WILL BE HELD 2:00 P.M. DECEMBER 21 REPEAT 21.

C) LETTERS FROM DUSHMAN AND MITCHELL DIRECTING EMBOFF CLEW
SERVE PAPERS ON MONTGOMERY. MITCHELL WRITES THAT SERVICE NECESSARY FOR
PROPER DETERMINATION DAMAGES.

6. ACTION REQUESTED: PLEASE INFORM MITCHELL AND/OR DUSHAN
THAT CLEW ON LEAVE AWAY FROM NIGERIA DECEMBER 25 THROUGH
JANUARY 16 AND COURT PAPERS RECEIVED DECEMBER 22. CLEW
WILLING ATTEMPT SERVE PAPERS SOMETIME AFTER JANUARY 16
BUT SHOULD WE HOLD PAPERS UNTIL THEN OR DO THEY WISH TRY
ANOTHER OFFICER OR ANOTHER COURSE? OUR INTERPRETATION OF
FAM GUIDELINES IS THAT EMBOFF CAN SERVE PAPERS IF ORDERED
TO BY US DISTRICT COURT.

EASUM

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 LAGOS 14288 231813Z POSS DUPE

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CLAIMS, LITIGATION, DISPUTES, CONSTRUCTION INDUSTRY, BUSINESS FIRMS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 DEC 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976LAGOS14288
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760471-1067
From: LAGOS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761217/aaaaaosd.tel
Line Count: 97
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION AF
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: vogelfj
Review Comment: n/a
Review Content Flags:
Review Date: 14 JUN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <14 JUN 2004 by chengls>; APPROVED <14 DEC 2004 by vogelfj>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DEFAULTING US BUILDERS STILL ON FESTIVAL JOB
TAGS: BDIS, ECRE, NI, US, ARK URBAN, WARNER & WARNER, (MITCHELL, NEAL B)
To: COM
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006